

REMARKS

Claims 1-14 are pending in the application.

35 U.S.C. § 112:

Claims 1-14 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for the reasons pointed out in Sections 1.1-1.4 of the Office Action.

An exemplary embodiment of the invention is directed to a structure which holds a plurality of recording tape cartridges. Independent claims 1 and 8 were originally drafted to distinguish the claimed features from the prior art by describing the recording tape cartridge and its interaction with the structure for holding. Claims 1 and 8 are now amended to further define elements of the claimed structure by positively reciting an accommodation chamber. Amended claims 1 and 8 are therefore deemed definite such that the issues raised in sections 1.1-1.4 of the Office Action are addressed. For example, in regard to section 1.1, Applicants submit that the claimed invention is drawn to a structure which holds at least a first recording tape cartridge and a second recording tape cartridge. Elements of the first recording tape cartridge are also recited to inherently define the structure which holds them. Accordingly, one skilled in the art would acknowledge that claim 1 is drawn to a structure for holding the recording tape cartridges and claim 8 is drawn to a method of making a structure for holding the recording tape cartridges.

Turning to Section 1.2 of the Office Action, the Examiner asserts that the original recitation of “a height” and “an interval” lacks an essential structural limitation. Applicants submit that the recitations regarding the height and the interval are definite in view of the accommodation chamber being set forth in the body of claims 1 and 8. Thus, the relationship

between the claimed accommodation chamber and the first recording tape cartridge is sufficiently clear, such that the scope of claims 1 and 2 will be understood.

In regard to section 1.3, the Examiner asserts that it is unclear how the apparatus is compatible with any tape cartridge “regardless of a type of the recording tape cartridge,” as recited in claims 1 and 8. Applicants submit that the further defined first and second tape recording cartridges address the Examiner’s concern, such that the features of claims 1 and 8 are definite.

Applicants likewise submit that amended claims 1 and 8 address the issue noted by the Examiner in Section 1.4 of the Office Action. In particular, the aspects regarding the claimed height and interval are further defined to resolve the alleged ambiguity noted in Section 1.4.

Accordingly, claims 1 and 8 are definite such that the rejection under 35 U.S.C. § 112, second paragraph, should be withdrawn. The rejection of dependent claims 2-7 and 9-14 should likewise be withdrawn at least by virtue of their respective dependencies upon claims 1 and 8.

35 U.S.C. § 102:

Claims 1-14 are rejected under 35 U.S.C. § 102(b) as being anticipated by Smith (U.S. Patent No. 6,141,180).

The Examiner relies on Smith for allegedly disclosing a case 106, including a grasped portion 116 having a concave portion and chamfer. In response, Applicants submit that proposed amended claim 1 is drawn to a novel and unobvious structure which holds at least a first recording tape cartridge and a second recording tape cartridge. The body of claim 1 further defines the claimed structure by explicitly setting forth an accommodation chamber and its relationship with the first recording tape cartridge. The claimed structure for holding is

inherently further defined by virtue of the recited features regarding the recording tape cartridges. Likewise, claim 8 is directed to a method of manufacturing a structure which holds at least a first recording tape cartridge and a second recording tape cartridge.

Smith discloses a cartridge which is inserted into a sleeve. A pivoting lockout in Smith intentionally interferes with the cartridge if a user attempts to install the cartridge improperly. (See Abstract.)

Smith does not disclose the features of amended claims 1 and 8. For example, the features of claims 1 and 8 are configured to hold the recording tape cartridges, wherein the first and second recording tape cartridges are structurally different. This allows for the structure to be more versatile by holding different configurations. Smith fails to disclose this feature, along with the other aspects recited in claims 1 and 8 regarding the structure's relationship with the recording tape cartridges. Instead, Smith merely discloses a receiving device for receiving the tape cartridge 108 shown in Fig. 1. Smith neither teaches nor suggests a structure or method of providing the structure, which, *inter alia*, holds a first recording tape cartridge *and* a second recording tape cartridge which are structurally different. Therefore, Smith fails to disclose each feature recited in claims 1 and 8, such that the rejection under 35 U.S.C. § 102(b) should be withdrawn. Likewise, the rejection of dependent claims 2-7 and 9-14 should be withdrawn at least by virtue of their respective dependencies upon claims 1 and 7.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Application No. 10/698,392

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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